

1 STEVEN YOUNG  
2 UNITED STATES DISTRICT COURT  
3 FOR THE WESTERN DISTRICT OF VIRGINIA  
4 CHARLOTTESVILLE DIVISION  
5 ----- )  
6 ELIZABETH SINES, et al., )  
7 Plaintiffs, ) Case No.  
8 vs. ) 3:17-cv-00072-NKM  
9 JASON KESSLER, et al., )  
10 Defendants. )  
11 ----- )  
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14 DEPOSITION OF STEVEN YOUNG  
15 APPEARING REMOTELY FROM CHARLOTTESVILLE, VIRGINIA  
16 JULY 15, 2020  
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23  
24 JOB NO. 180929  
25 REPORTED BY: Tina Alfaro, RPR, CRR, RMR

	Page 2	Page 3
1	STEVEN YOUNG	1 STEVEN YOUNG
2		2 APPEARANCES:
3		3 ON BEHALF OF THE PLAINTIFFS:
4		4 COOLEY
5	July 15, 2020	5 BY: SCOTT STEMETZKI, ESQ.
6	9:30 a.m.	6 CAITLIN MUNLEY, ESQ.
7		7 NICK FRANCO, ESQ.
8		8 1299 Pennsylvania Avenue, NW
9	Deposition of STEVEN YOUNG taken remotely	9 Washington, D.C. 20004
10	before Tina M. Alfaro, a Notary Public within and	10
11	for the State of Virginia.	11 and
12		12 KAPLAN HECKER & FINK
13		13 BY: MICHAEL BLOCH, ESQ.
14		14 350 Fifth Avenue
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18		18 ON BEHALF OF PATRICK CASEY:
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25		25
	Page 4	Page 5
1	STEVEN YOUNG	1 STEVEN YOUNG
2	APPEARANCES: (cont'd)	2 I N D E X
3	ON BEHALF OF JAMES ALEX FIELDS, JR.	3 EXAMINATION
4	DUANE HAUCK DAVIS GRAVATT & CAMPBELL	4 WITNESS PAGE
5	BY: DAVID CAMPBELL, ESQ.	5 STEVEN YOUNG
6	100 West Franklin Street	6 By Mr. Campbell 6
7	Richmond, Virginia 23220	7 By Mr. Kolenich 36
8		8 EXHIBITS
9		9 (none marked)
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<p>1 STEVEN YOUNG 2 (Witness sworn.) 3 WHEREUPON: 4 STEVE YOUNG, 5 called as a witness herein, having been first duly 6 sworn, was examined and testified as follows: 7 EXAMINATION 8 BY MR. CAMPBELL: 9 Q. Good morning, Detective Young. My name is 10 Dave Campbell, and I represent one of the 11 Defendants, James Alex Fields, in this federal 12 lawsuit and the one who requested your deposition 13 today, or one of the ones. 14 Have you given depositions before, 15 Detective? 16 A. I'll just go ahead and say no. 17 Q. Okay. Just general suggestions to help 18 essentially make it easier for the court reporter to 19 take down our conversation today. Even though I'm 20 sure you'll know where I'm going with many of my 21 questions, please try to let me finish the question 22 before you begin to answer, and then I'll do the 23 same and do my best to avoid beginning another 24 question before you're completely done responding to 25 the prior one.</p>	<p>Page 6</p> <p>1 STEVEN YOUNG 2 If you don't understand a question, 3 especially if you're having any difficulty hearing 4 me at any point or anything like that, please let me 5 know. I want to make sure you understand the 6 questions as much as possible before answering and 7 make sure there's no ambiguity. 8 If you need a break at any time, just let 9 us know. We'll be happy to take a break. I would 10 just ask that you answer whatever the pending 11 question is at the time. 12 Also, if you say uh-huh or uh-uh I may say 13 was that a yes or was that a no. I'm not trying to 14 be rude. I just want to make sure -- 15 A. I'm fine. 16 Q. -- we're clear -- 17 A. Uh-huh. 18 Q. Is that okay? 19 THE REPORTER: Let me just say one thing 20 right off the bat. If you talk over each other, 21 Detective Young, I will hear none of it. So try to 22 refrain. Thank you. 23 THE WITNESS: All right. 24 MR. CAMPBELL: Just housekeeping at the 25 beginning. Will all counsel so stipulate that this</p>
<p>1 STEVEN YOUNG 2 deposition is taken in accordance with all the other 3 discovery depositions taken remotely in this case 4 and is valid as a Rule 30 deposition despite the 5 absence of the court reporter in the room with the 6 deponent? 7 MR. STEMETZKI: Yes, Plaintiffs will 8 stipulate. 9 MR. CAMPBELL: Great. Thank you. 10 BY MR. CAMPBELL: 11 Q. Hey, Detective, to start, what is your 12 current job title? 13 A. Currently I am a corporal of patrol. So 14 yeah, I'm one of the supervisors on daylight patrol. 15 Q. Okay. And was that the same -- did you 16 hold the same title back on August 12th of 2017? 17 A. No. I was a detective in our major case 18 unit. 19 Q. And is -- is corporal a higher rank than 20 detective, I would assume? 21 A. Well, I mean, you could be a lieutenant and 22 a detective, but yeah, then I was -- it was prior to 23 a promotion. Actually after August 12th, probably 24 about a year after that I got promoted to a corporal 25 in investigations where I oversaw our major case</p>	<p>Page 8</p> <p>1 STEVEN YOUNG 2 unit as well as the SVU unit, and recently I got 3 switched over to patrol to become a road supervisor. 4 Q. Okay. Can you just generally give me a 5 little background about your training and 6 experience, when you first began law enforcement up 7 to August 12th? 8 A. I joined the Charlottesville Police 9 Department, that's the only department I've worked 10 for, in January of 2011. I spent three years on 11 night patrol and then a year on daylight patrol, and 12 then I guess up until August 12th I was a detective 13 for about two and a half years. During that time I 14 worked mostly in property units in our burglary 15 unit, and then I'll say about March of 2017 I got 16 switched over to homicide and major case unit. I've 17 been to several trainings regarding investigations, 18 a lot of 4th Amendment training, drug interdiction 19 training, all sorts of different kind of training. 20 Q. Okay. Do you have any military experience 21 prior to joining Charlottesville Police Department? 22 A. Four years in the Marines and then four in 23 the Army. 24 Q. All right. So is the proper way to refer 25 to you now Corporal Young, Detective Young, or</p>

<p>1 STEVEN YOUNG 2 something else? 3 A. Corporal Young's fine. You can call me 4 Steve if you want. 5 Q. All right. Corporal Young, have you seen 6 the Heaphy report? Do you know what I mean when I 7 say the Heaphy report? 8 A. I've not read through it. I know of it. 9 Everything I've heard about it is all hearsay. I've 10 never actually thoroughly read through the report. 11 Q. Understood. Yeah, it's pretty long and a 12 bit dry probably if -- 13 A. Right. 14 Q. -- you're not an attorney in the case. 15 So I want to ask you about prior to August 16 the 12th, and obviously you're only here as an 17 individual witness. You're not here representing 18 the Charlottesville Police Department or anything 19 like that. So I'm only asking about your personal 20 experience what you did prior to August 12th and 21 that kind of thing. Okay? 22 A. Okay. 23 Q. I'm not asking to you speak for the unit or 24 any of the other, you know, detectives or guys, but 25 there's a note in the Heaphy report that says --</p>	<p>Page 10 1 STEVEN YOUNG 2 it's called open source review, and I'll just read a 3 little paragraph to you and then ask if you had any 4 experience similar to what is described in the 5 report. 6 It says "Each detective in the 7 investigations unit was assigned people and groups 8 to research. Those people and groups included 9 anyone that CPD believed might attend either event 10 whether in support or in opposition to the event 11 speakers." 12 Were you asked in your role as detective or 13 did you investigate any people or group of people 14 prior to August the 12th? 15 A. Yes. 16 Q. And what people or group of people were you 17 asked to investigate? 18 A. Well, in that aspect I kind of, for lack of 19 a better term, got lucky. I didn't have to -- I 20 think I had another case going on. So they kind of 21 gave me a break and I didn't have to really delve 22 into the major groups. One of them was like a Care 23 Bear group, which was completely irrelevant. It's a 24 group that was going to drop off tons of stuffed 25 Care Bears throughout the park. So I did a little</p>
<p>1 STEVEN YOUNG 2 background on them, as well as one of the local 3 church groups that I guess you could classify as the 4 counterprotestor groups that planned on coming and, 5 you know, peacefully protest the protestors. 6 Q. Okay. 7 A. To be honest, I can't remember who I 8 reached out to. 9 Q. Do you remember anything more specific 10 about the local church group, counterprotestor group 11 you were just describing, you know, the name or any 12 particular -- 13 A. So they were headquartered here in 14 Charlottesville on South 1st Street. It's the 15 Mt. Zion First African Baptist Church. 16 Now, the group I don't think was affiliated 17 with the church, but that's where they kind of held 18 their meetings and from what I was told and from 19 what I found out they essentially gave classes on 20 how to be a peaceful protestor to citizens that 21 wanted to partake without, you know, physically 22 being aggressive. 23 I did reach out to the vice mayor at the 24 time, Wes Bellamy, to try to get more information 25 because I know he was affiliated with that group,</p>	<p>Page 12 1 STEVEN YOUNG 2 but he never responded back. 3 Q. Okay. 4 A. And then again -- go ahead. 5 Q. I'm sorry. You go ahead. 6 A. In the end of that investigation nothing 7 really much came of it other than the fact that 8 there was a small contingency that was going to show 9 up and essentially voice their opinion without 10 resorting to any sort of physical violence. 11 Q. Did the group have a name or the way they 12 referred even if it only was internal in the way 13 they referenced themselves? 14 A. I think it was something to the effect of 15 Charlottesville Unity. I think that's what it was. 16 Q. Does the name Seth Wispelwey ring a bell in 17 regard to that group or any other investigation 18 you've done related -- 19 A. Say it again. What was that name? 20 Q. Seth Wispelwey. 21 A. No, sir. I think I would remember that 22 name, but no, that doesn't ring a bell. 23 Q. Okay. All right. So the Charlottesville 24 Unity was essentially -- and the Care Bear group or 25 the counterprotestor groups you looked into prior to</p>

1 STEVEN YOUNG 2 August 12th; is that correct? 3 A. Correct. 4 Q. All right. And did you have any indication 5 that anyone in Charlottesville Unity identified or 6 associated as ANTIFA? 7 A. No. 8 Q. Do you know from your own, you know, 9 personal conversations with other detectives or 10 being present in a briefing room if there were any 11 other detectives that were assigned to look into or 12 had reports of ANTIFA counterprotesting on 13 August 12th? 14 A. Yes. Yeah. 15 Q. Okay. Do you know which detective or 16 detectives was or were assigned to look into ANTIFA 17 counterprotesting? 18 A. I believe it was Detective Hickey. 19 Q. Is that H-I-C-K-E-Y? 20 A. Yes, sir. And, unfortunately, I can't -- I 21 can't remember 100 percent. 22 Q. Is Detective Hickey a man or a woman? 23 A. A man. 24 Q. Do you know his first name? 25 A. Declan.	Page 14 1 STEVEN YOUNG 2 Q. Do you know how to spell that? 3 A. D-E-C-L-A-N. He's Irish. 4 Q. Do you know if Detective Hickey is still 5 with the Charlottesville Police Department? 6 A. He is. 7 Q. All right. So anything else you were asked 8 to do in advance of August 12th other than 9 investigate the two groups we've talked about? 10 A. Not as far as the event. I'm also on the 11 SWAT team. So a lot of my role was kind of dealing 12 with the tactical side. 13 Q. Okay. How about in your role as a SWAT 14 team officer, what preparations or what sort of 15 instructions were you given in advance of 16 August 12th? 17 A. So most of my role with SWAT was more 18 logistically at the time. So I had back surgery in 19 March of 2017, and when I came back to full duty I 20 was allowed to be -- I was considered full duty 21 except for SWAT. So until September of 2017 I was 22 not allowed to partake in any sort of SWAT activity. 23 However, I could help out with logistics and 24 training and stuff like that. 25 So ironically, you know, during the KKK
Page 16 1 STEVEN YOUNG 2 rally in July of 2017 as well as August 12th I was 3 actually more on the front lines, so to speak, 4 whereas the SWAT team was in the rear. But to 5 answer your question, I didn't really partake in the 6 planning as far as the tactics. It's more 7 logistics, making sure there's enough -- you know, 8 the equipment was set up, we did our rounds, we had 9 water, and all that kind of stuff 10 Q. In your role in logistics did you all 11 discuss kind of where different teams would set up 12 and how many officers to allocate to different parts 13 of the city? 14 A. So essentially the SWAT team's role was to 15 pretty much stay out of the way. I think they were 16 headquartered here at the police department in the 17 garage and essentially just put on standby. That 18 was the plan, and I'm pretty sure that's what they 19 did throughout the day. 20 Q. I understand. Regarding your earlier 21 testimony, had you been on SWAT you would have been 22 in HQ out of the way, but because you weren't you 23 were on the front line; is that correct? 24 A. Yes. 25 Q. Did you have any involvement either	Page 17 1 STEVEN YOUNG 2 logistically or physically going in person to the -- 3 what I'll refer to as the torch March on August 11, 4 2017? 5 A. No. I was at home actually watching it on 6 TV. 7 Q. And then August 12th what time did you 8 report for duty or go to work? 9 A. About 5:00 a.m. 10 Q. And where were you assigned, where were you 11 located? 12 A. Investigations Bureau, which is upstairs in 13 the Charlottesville Police Department. 14 Q. Did you personally witness any clashes 15 between protestors and counterprotestors the morning 16 of August 12th? 17 A. No physical clashes. One of my duties that 18 morning was to kind of be a roving intel officer. 19 So a few of us got into a van and we drove around, 20 it was an unmarked van, just kind of getting intel 21 to see what was going on. So just kind of 22 getting -- we saw people arguing definitely, but no 23 physical clashes. That wasn't until later. 24 Q. Were you -- where were you when the 25 unlawful assembly was declared?

<p>1 STEVEN YOUNG</p> <p>2 A. I was in and around the downtown area. At</p> <p>3 that point once it was declared unlawful assembly we</p> <p>4 kind of gave up the intel thing. Throughout the</p> <p>5 crowd there was a lot of undercover officers and we</p> <p>6 started to lose communication with them, and, for</p> <p>7 lack of a better term, all hell broke loose and we</p> <p>8 started to get all the undercover officers out. So</p> <p>9 we would call them, drive the van in real quick,</p> <p>10 they'd identify themselves, and we'd just throw them</p> <p>11 in the van and take them out. So that's what we did</p> <p>12 for a couple hours during the unlawful assembly.</p> <p>13 Q. Prior to the -- prior to August 12th were</p> <p>14 you involved or did you hear any discussions</p> <p>15 regarding the plan for street closures?</p> <p>16 A. I wasn't involved in it in any way. That</p> <p>17 was a little above my pay grade. I did hear about</p> <p>18 it, but essentially the way I work is I kind of do</p> <p>19 my thing and I really don't delve into something I'm</p> <p>20 not assigned to. I mean, I heard somewhat of the</p> <p>21 pattern of street closures, but I can't testify to</p> <p>22 much of it other than I knew that some streets were</p> <p>23 going to be closed.</p> <p>24 Q. And were you briefed in the days directly</p> <p>25 leading up to August 12th on any sort of question as</p>	<p>Page 18</p> <p>1 STEVEN YOUNG</p> <p>2 to whether the rally would be held at Emancipation</p> <p>3 Park or at McIntyre Park?</p> <p>4 A. From what I was told and from what I</p> <p>5 learned, it was all going to take place in</p> <p>6 Emancipation Park. We knew that McIntyre Park was</p> <p>7 probably going to be the parking, staging area for</p> <p>8 the protestors. So that's all I knew.</p> <p>9 Q. Was that because of any briefing or</p> <p>10 communications you directly were aware of between</p> <p>11 Charlottesville PD and any of the protestors? And</p> <p>12 by that I'm asking your knowledge or your belief</p> <p>13 that McIntyre Park would be the staging area for the</p> <p>14 protestors.</p> <p>15 A. I can't attest to you how I learned that</p> <p>16 information or how Charlottesville Police learned</p> <p>17 that information. We had several briefings prior to</p> <p>18 that day and I just -- I don't know how I ended up</p> <p>19 knowing that. That's what they briefed us on.</p> <p>20 Q. Were you ever told like on August 11th that</p> <p>21 the rally was not going to be held at Emancipation</p> <p>22 Park and was going to be instead moved to McIntyre</p> <p>23 Park by order of the city council?</p> <p>24 A. That sounds familiar. Again, this is a</p> <p>25 long time ago. So I'm trying to remember, but I</p>
<p>Page 20</p> <p>1 STEVEN YOUNG</p> <p>2 knew that there was supposed to be a permit in the</p> <p>3 park, which got denied apparently, and they were</p> <p>4 going to hold it there anyways. So we were just</p> <p>5 assuming it was going to be held at Emancipation</p> <p>6 Park, but we also had a contingency of officers that</p> <p>7 would be patrolling McIntyre Park as well.</p> <p>8 Q. Did they -- were you briefed at all on any</p> <p>9 discussions over like last minute legal challenges?</p> <p>10 Were you told anything about any of that as far as</p> <p>11 where the event was going to be held?</p> <p>12 A. No.</p> <p>13 Q. Okay. All right.</p> <p>14 So I wanted to ask you questions about the</p> <p>15 arrest of James Fields. How were you first notified</p> <p>16 of the car incident?</p> <p>17 A. So I'll lead you up to that happening.</p> <p>18 Please cut me off if I'm going on or if I'm jumping</p> <p>19 ahead into your questions.</p> <p>20 Q. No. Please.</p> <p>21 A. The sergeant I was riding with in the van,</p> <p>22 Sergeant Newberry, one of his roles that day was to</p> <p>23 be in contact with Jaysun Kessler's security group,</p> <p>24 and just prior to --</p> <p>25 Q. I'm sorry. What was his name again?</p>	<p>Page 21</p> <p>1 STEVEN YOUNG</p> <p>2 A. Sergeant Tony Newberry.</p> <p>3 Q. Thank you. Sorry to interrupt.</p> <p>4 A. That's all right.</p> <p>5 Q. Go ahead.</p> <p>6 A. So by, say, you know, 12:30, 1:00</p> <p>7 Emancipation Park had dispersed. We received a call</p> <p>8 from a man named Jack -- I'm not sure who that is or</p> <p>9 what his real name is, but we just knew him as</p> <p>10 Jack -- who was the head of Kessler's security and</p> <p>11 he was requesting that we escort him back into the</p> <p>12 park to retrieve all of their audio equipment, like</p> <p>13 their microphones and all that kind of stuff.</p> <p>14 So we went to Emancipation Park, it was</p> <p>15 empty for the most part, and we looked around for --</p> <p>16 we told him you stay put, we'll get your equipment</p> <p>17 and we'll bring it back, that way you're not going</p> <p>18 to rile everyone up again. We got to the park and</p> <p>19 there was no audio equipment to be found. So we</p> <p>20 were just kind of looking around in the park and I</p> <p>21 heard on the radio that something happened on the</p> <p>22 downtown mall.</p> <p>23 One of the captains that was in the park</p> <p>24 suggested that we go ahead and go over there to</p> <p>25 Market Street because there was a hit and run and</p>

<p>1 STEVEN YOUNG 2 someone was injured, and then we heard on the radio 3 that there was a vehicle pursuit with the suspect 4 vehicle. You know, hearing this on the radio we got 5 behind one of the officers that was in pursuit and 6 by the time we got to the intersection of Monticello 7 Road and Blenheim Avenue we parked and we realized 8 that the suspect was already taken out of the 9 vehicle. I was one of the first ones to get to 10 Mr. Fields and I ended up arresting him.  11 I don't know how much you want me to go 12 into the arrest, but...  13 Q. If I could, I would just back up a little 14 bit here and kind of break that down a little bit.  15 When you heard of a vehicle pursuit, do you 16 have any idea of a time frame or reference between 17 the report of the hit and run to the end of the 18 vehicle pursuit? Do you know how long that took?  19 A. So from the time I first heard of it when 20 the captain said, hey, something just happened on 21 the mall, you guys may want to go take a look, from 22 the time I heard that until the time I heard there 23 was a vehicle pursuit was less than a minute. We 24 jumped in the van and we went lights and sirens, and 25 from the park to that intersection took maybe about</p>	<p>Page 22</p> <p>1 STEVEN YOUNG 2 45 seconds and by that time he was already detained. 3 Q. Okay. Do you have any idea -- 4 A. Maybe not 45 seconds, maybe like a minute. 5 I'm sorry. 6 Q. Okay. So it wasn't like a long vehicle 7 pursuit -- 8 A. No. 9 Q. -- going all around town or anything like 10 that? 11 A. No. 12 Q. It was a couple minutes. 13 THE REPORTER: Guys. 14 THE WITNESS: Yes, ma'am. 15 THE REPORTER: One at a time. 16 THE WITNESS: Oh, sorry. 17 MR. CAMPBELL: That's my fault. 18 BY MR. CAMPBELL: 19 Q. Okay. So when you arrive at the scene -- 20 well, let me say first I've seen some of your body 21 cam video. Have you watched your own body cam video 22 of that arrest and incident? 23 A. Many times, yes. 24 Q. Okay. When you first interacted with the 25 suspect he's already out of the vehicle on the</p>
<p>1 STEVEN YOUNG 2 ground; is that correct? 3 A. Correct. 4 Q. Okay. Did you speak with Mr. Fields at the 5 scene? 6 A. Yes. 7 Q. Can you tell me the nature of that 8 conversation or anything that stands out or what you 9 recall about the conversation with Mr. Fields at the 10 scene of the arrest? 11 A. Well, I'll preface this by saying, you 12 know, we knew nothing about what was happening on 13 the mall. From what I heard and from what I 14 assumed, you know, he hit someone and then took off 15 because he was scared, that was kind of going 16 through my head, which happens a lot in downtown 17 Charlottesville. You'd be surprised. 18 My first dealings with him was trying to, 19 first of all, get him properly detained. The way he 20 was set up he wasn't patted down and his handcuffs 21 were not in the back. So that was pretty much my 22 first thing was to pat him down and make sure there 23 were no weapons and then switch his handcuffs to the 24 back. 25 And throughout this process he did make</p>	<p>Page 24</p> <p>1 STEVEN YOUNG 2 spontaneous utterances of saying he was sorry. I 3 didn't really go into questions because he wasn't 4 Mirandized. He also did mention that he has a 5 history of mental health issues. I'm not quoting 6 him verbatim, but he did say something to the effect 7 of, you know, I have mental issues. He did repeat 8 that he's sorry. We did ask if he needed rescue 9 squad, and he did say no, they should be going to 10 the downtown area. 11 But, again, I did not know -- I hadn't seen 12 the vehicle at that point. So, you know, kind of in 13 a sympathetic way just trying to get him to calm 14 down and telling him it will be okay, let us figure 15 out what's going on before we asked any questions. 16 In my experience it's better for people to be calm 17 before you start asking questions. And then once 18 I -- once he was sat up and detained properly, you 19 know, I looked at the vehicle, started talking to 20 other officers and detectives on scene and started 21 to piece together what happened. 22 Q. You said you patted Fields down. Did you 23 find any weapons on him? 24 A. No. 25 Q. Did you check the vehicle to see if there</p>

<p>1 STEVEN YOUNG</p> <p>2 were any weapons in the vehicle?</p> <p>3 A. Yeah. We did a pat-down of the vehicle.</p> <p>4 No weapons found.</p> <p>5 Q. Did you have any further conversations at</p> <p>6 the scene -- you're the officer that arrested</p> <p>7 Fields, correct?</p> <p>8 A. Correct.</p> <p>9 Q. And did you have any further conversations</p> <p>10 substantively about what happened with Fields at the</p> <p>11 scene of the arrest?</p> <p>12 A. No. The way I do things and it's pretty</p> <p>13 par for the course around -- in our unit is we'd</p> <p>14 rather speak to them in our interview room. That</p> <p>15 way we can properly Mirandize them and -- that's</p> <p>16 just kind of -- it's more comfortable for us and for</p> <p>17 them to put them in an interview room. So I didn't</p> <p>18 ask any questions there. And I -- I tried to hint</p> <p>19 to him to, you know, not to say anything, just</p> <p>20 relax, and then when we get back we'll go ahead and</p> <p>21 talk to you.</p> <p>22 So the conversation on scene was limited,</p> <p>23 but from what I got the main points were he said he</p> <p>24 was sorry, he said that he was scared, that he</p> <p>25 thought he was being attacked and that earlier</p>	<p>Page 26</p> <p>1 STEVEN YOUNG</p> <p>2 throughout the day in the park people had thrown</p> <p>3 something at him. I believe that's what he said,</p> <p>4 but other than that, there's nothing much that came</p> <p>5 from that conversation.</p> <p>6 Q. Okay. When you say people had thrown</p> <p>7 something at him, was there any discoloration or any</p> <p>8 apparent substance on his clothing or anything?</p> <p>9 A. I can honestly say I didn't notice that at</p> <p>10 the scene, but throughout my investigation and</p> <p>11 looking at body camera footage and speaking to other</p> <p>12 officers there was a discoloration on the shirt. It</p> <p>13 was like a yellowish hue on his shirt.</p> <p>14 Q. Was that urine, do you know one way or</p> <p>15 another?</p> <p>16 A. We believe it was urine. There's been some</p> <p>17 question of whether it was his or someone else's.</p> <p>18 Q. All right. And then tell me what you can</p> <p>19 about your conversation with Fields in the interview</p> <p>20 room. Was there a point in time -- to maybe give</p> <p>21 you a little direction or suggestion of where I</p> <p>22 would like to discuss another conversation, was</p> <p>23 there a point in time where Fields was told that</p> <p>24 someone had died?</p> <p>25 A. Yes.</p>
<p>1 STEVEN YOUNG</p> <p>2 Q. And what was his response?</p> <p>3 A. So this is a video I analyzed for quite a</p> <p>4 bit. My partner at the time was the one that</p> <p>5 interviewed him while I was working on search</p> <p>6 warrants and some other things, and I was watching</p> <p>7 the interview live on our TV, our camera system.</p> <p>8 Initially when I was watching it it seemed like he</p> <p>9 started to cry after he was told that someone had</p> <p>10 died, and then again analyzing the video for court</p> <p>11 prep it doesn't appear that he cries. He</p> <p>12 hyperventilates for about 30 seconds and then he</p> <p>13 calms himself down. I mean, he was, you know,</p> <p>14 physically upset. Initially I would say he began</p> <p>15 sobbing, but upon further review of the video it's</p> <p>16 more of a hyperventilation and then slowly starting</p> <p>17 to calm himself down. Then he eventually fell</p> <p>18 asleep.</p> <p>19 Q. What's the name of your partner that</p> <p>20 interviewed Fields? Is that Newberry?</p> <p>21 A. No. At that time it was Detective Braden</p> <p>22 Kirby.</p> <p>23 THE REPORTER: Can you spell his first</p> <p>24 name.</p> <p>25 THE WITNESS: B-R-A-D-E-N.</p>	<p>Page 28</p> <p>1 STEVEN YOUNG</p> <p>2 THE REPORTER: Thank you.</p> <p>3 BY MR. CAMPBELL:</p> <p>4 Q. Okay. And following the arrest of Fields I</p> <p>5 think you said you exercised some search warrants;</p> <p>6 is that correct?</p> <p>7 A. Correct.</p> <p>8 Q. Did you seize his phone?</p> <p>9 A. Yes.</p> <p>10 Q. And did you seize anything else that was</p> <p>11 present in the interior of the vehicle following the</p> <p>12 arrest?</p> <p>13 A. No. We seized the vehicle, but there was</p> <p>14 not much in the vehicle at all other than his phone</p> <p>15 and a couple of personal belongings that were not</p> <p>16 really relevant.</p> <p>17 Q. Did you conduct any sort of deep dive or</p> <p>18 search of his phone?</p> <p>19 A. So we seized the phone, and at the time</p> <p>20 there was a parallel investigation going on and the</p> <p>21 FBI took possession of the phone and they conducted</p> <p>22 a search warrant as well and they had a down- -- if</p> <p>23 you conduct a search warrant on a cell phone you get</p> <p>24 essentially a spreadsheet and, you know, this huge</p> <p>25 document of what's on that phone. The FBI did that</p>

<p>1 STEVEN YOUNG 2 and put it on a disk. Because of the parallel 3 investigation I had to write a search warrant to 4 obtain that disk, which was actually in our police 5 department. It's kind of confusing. So they did 6 the indepth download of his phone, whereas I did the 7 search warrant to get that document.</p> <p>8 Q. Okay.</p> <p>9 And have you reviewed the contents of the 10 report on the phone?</p> <p>11 A. Yes.</p> <p>12 Q. Did you -- at any point in your 13 investigation were you looking for communications 14 Fields may have had with any other event organizer 15 or rally attendee?</p> <p>16 A. Yes.</p> <p>17 Q. Did you find any such communications?</p> <p>18 A. No.</p> <p>19 Q. So it also looks like the -- I mean, from, 20 you know, attending some and watching some of the 21 criminal trial there was like GPS tracking 22 information; is that accurate?</p> <p>23 A. Correct.</p> <p>24 Q. And did you review that as well, Detective?</p> <p>25 A. Yes.</p>	<p>Page 30</p> <p>1 STEVEN YOUNG 2 Q. Do you have a concept of how far Fields' 3 car traveled from where the incident took place to 4 where the arrest took place?</p> <p>5 A. We actually did map it out. It was about a 6 mile, if that.</p> <p>7 Q. All right. From the site of the incident 8 the scene was about a mile, maybe a little less; is 9 that correct?</p> <p>10 A. Correct.</p> <p>11 Q. And then the -- what you described earlier 12 as a police chase was a couple minutes; is that 13 correct?</p> <p>14 A. That's correct.</p> <p>15 Q. Do you have any idea either from a document 16 you reviewed or a communication you had with 17 another -- maybe the car ahead of you what was like 18 the top speed that he reached, that Fields' car 19 reached during that police chase?</p> <p>20 A. It was slow. I didn't know at the time, 21 but reviewing video from the helicopter, I mean, it 22 was a slow speed chase. I wouldn't say he was going 23 more than 30 miles an hour.</p> <p>24 Q. So would it be fair to characterize it more 25 like he just wouldn't pull over?</p>
<p>Page 32</p> <p>1 STEVEN YOUNG 2 A. Correct. Again, stop me if I'm going 3 ahead, but he did say at the magistrate's office 4 that he didn't notice that someone was behind him 5 when they were trying to pull him over.</p> <p>6 Q. Okay.</p> <p>7 I wanted to ask you a few questions about 8 your understanding of what the -- of whether the 9 street where the incident occurred was supposed to 10 be closed at the time of the incident. If you know, 11 do you know whether the street where the incident 12 occurred was supposed to be closed at the 13 intersection --</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Do you know how the street was 16 supposed to be closed? For example, was there 17 supposed to be a marked police car in the area 18 blocking the street?</p> <p>19 A. Yes. Again, this is all to the best of my 20 knowledge. I knew that the intersection of 21 4th Street and Market Street was supposed to be 22 closed from either way. I don't know if you guys 23 are familiar with Charlottesville, but you weren't 24 able to go west of 4th Street and you were not able 25 to go south on 4th Street from that intersection and</p>	<p>Page 33</p> <p>1 STEVEN YOUNG 2 that -- that was being manned by one officer and one 3 officer's vehicle prior to the attack.</p> <p>4 Now, from what I learned and -- again, this 5 is the best of my knowledge -- that that officer was 6 overwhelmed at that intersection when people started 7 to march and became extremely violent. A lot of 8 scuffling took place. I believe she requested to be 9 relieved and that grant was approved. I think they 10 put a physical barrier, so it's like one of those 11 orange things, big orange walls right where her 12 vehicle was blocking the intersection of 4th and 13 Market, but you could easily get around it.</p> <p>14 Q. And, Detective, you testified at the 15 criminal trial, is that correct, sir?</p> <p>16 A. Yes.</p> <p>17 MR. CAMPBELL: If I could, I don't think I 18 have a lot more -- many more question for you, but I 19 do want to look over my notes. If anyone else wants 20 to ask any questions of the detective, I would 21 appreciate passing the witness so we don't have to 22 waste ten minutes or we could take a 10- or 23 15-minute break.</p> <p>24 THE WITNESS: I'm fine either way.</p> <p>25 MR. CAMPBELL: Do you guys want to take a</p>

<p>1 STEVEN YOUNG 2 10-minute break? 3 MR. STEMETZKI: Yeah. I think a 10-minute 4 break would be good. 5 (A short break was had.) 6 BY MR. CAMPBELL: 7 Q. Corporal Young, Dave Campbell again. 8 On August 12 as you drove around downtown 9 in the unmarked van, did you view violence coming 10 from both sides? 11 A. I actually never -- 12 MR. STEMETZKI: Objection, it's a leading 13 question. 14 MR. CAMPBELL: You can answer. 15 A. I was actually never -- I rarely use a map, 16 but we were mostly on the outskirts of the downtown 17 area. So during the actual clash that's become 18 popular we did not see that, we were not around that 19 area. We heard it on the radio, but I can't testify 20 to what happened on that other than open source 21 media. 22 Q. Okay. And earlier we were discussing 23 Mr. Fields, the hit and run incident. You didn't 24 witness that personally; is that correct? 25 A. Correct.</p>	<p>Page 34</p> <p>1 STEVEN YOUNG 2 Q. And are you aware of the name of any law 3 enforcement officer who actually witnessed the hit 4 and run incident? 5 A. I tried to find someone, but no law 6 enforcement officer that I know of actually 7 witnessed the incident. 8 Q. Okay. 9 And you testified earlier, I believe, that 10 you reviewed the phone downloaded information or 11 report looking for communications between Mr. Fields 12 and other rally attendees or organizers; is that 13 accurate? 14 A. Yes. 15 Q. Is it fair to say that if you found 16 evidence of such communication other people could 17 have been charged in association with Fields' hit 18 and run incident? 19 A. Potentially, yes. 20 Q. And no such criminal charges were ever 21 filed against any other rally attendee or organizer 22 in association with Mr. Fields' hit and run 23 incident; is that correct? 24 A. Correct. 25 Q. And Mr. Fields was never charged with any</p>
<p>1 STEVEN YOUNG 2 crime of a conspiratorial nature; is that correct? 3 A. That's correct. 4 MR. CAMPBELL: All right. Thank you very 5 much, Corporal. I appreciate your time today. I 6 don't have any more questions for you. Unless 7 someone else asks you a question that prompts me to 8 think of something else, I don't have any more 9 questions.</p> <p>10 EXAMINATION</p> <p>11 BY MR. KOLENICH: 12 Q. Officer, this is Jim Kolenich. I represent 13 some of the other Defendants in the Sines versus 14 Kessler case. Good morning, sir. 15 A. Good morning. 16 Q. Referring to the questions just asked 17 regarding your examination of James Fields' phone, 18 is that the only electronic device that you 19 recovered from him? 20 A. Correct. That's the only one I recovered. 21 Q. To your knowledge, did the investigation 22 look at any other of his devices? 23 A. Not in Charlottesville. 24 Q. Do you know of any other authority that may 25 have had his other electronic devices?</p>	<p>Page 36</p> <p>1 STEVEN YOUNG 2 A. Yes. The FBI I think headquartered out of 3 Louisville, Kentucky conducted a search of his 4 residence and seized laptops. 5 Q. All right. And to your knowledge, did they 6 recover any information indicating that he had 7 conspired with any persons regarding the murder of 8 Heather Heyer? 9 A. No. 10 MR. KOLENICH: Okay. Thank you. No 11 further questions. 12 MR. STEMETZKI: Do any other Defendants 13 have questions? I'll take that as a no. 14 I just need five minutes to organize my 15 thoughts and I'll have a couple follow-up questions. 16 (A short break was had.) 17 MR. STEMETZKI: Mr. Young -- Corporal 18 Young, I actually have no questions for you this 19 afternoon. So I think that should be the end of the 20 deposition. So thank you for your time today and 21 have a good rest of your week. 22 MR. CAMPBELL: Sorry, this is Dave 23 Campbell. I just wanted to advise you since we're 24 not videoing this you have the right to read this 25 transcript. Not to change your answers, but just to</p>

1 STEVEN YOUNG 2 make sure you believe the court reporter took down 3 your testimony accurately. You can also waive that 4 right. Most people, particularly law enforcement 5 choose to waive that right, but I'm not your 6 counsel. It's your decision. You just need to 7 indicate to the court reporter whether you'd like to 8 read the transcript or whether you waive that right. 9 10 THE WITNESS: I'll waive. 11 (Whereupon, at 10:29 a.m. the 12 taking of the instant deposition 13 ceased.) 14 15 16 17 18 19 20 21 22 23 24 25	Page 38 1 STEVEN YOUNG 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 39
1 STEVEN YOUNG 2 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC 3 I, TINA M. ALFARO, Registered Professional 4 Reporter, Certified Realtime Reporter, and Notary 5 Public, the officer before whom the foregoing 6 deposition was taken, do hereby certify that the 7 foregoing transcript is a true and correct record of 8 the testimony given; that said testimony was taken 9 by me stenographically and thereafter reduced to 10 typewriting under my direction; that reading and 11 signing was requested; and that I am neither counsel 12 for, related to, nor employed by any of the parties 13 to this case and have no interest, financial or 14 otherwise, in its outcome. 15 16 IN WITNESS WHEREOF, I have hereunto set my 17 hand and affixed my notarial seal this 21st day of 18 July, 2020. 19 20 My Commission expires October 31, 2020. 21 22 23 24 25	Page 40	

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